

Pt. 63, Subpt. UUU, Table 43

40 CFR Ch. I (7–1–09 Edition)

For . . .	You shall provide this additional information . . .
1. Identification of affected sources and emission points.	Nature, size, design, method of operation, operating design capacity of each affected source; identify each emission point for each HAP; identify any affected source or vent associated with an affected source not subject to the requirements of subpart UUU.
2. Initial compliance	Identification of each emission limitation you will meet for each affected source, including any option you select (i.e., NSPS, PM or Ni, flare, percent reduction, concentration, options for bypass lines); if applicable, certification that you have already conducted a performance test to demonstrate initial compliance with the NSPS for an affected source; certification that the vents meet the applicable emission limit and the continuous opacity or that the emission monitoring system meets the applicable performance specification; if applicable, certification that you have installed and verified the operational status of equipment by your compliance date for each bypass line that meets the requirements of Option 2, 3, or 4 in § 63.1569 and what equipment you installed; identification of the operating limit for each affected source, including supporting documentation; if your affected source is subject to the NSPS, certification of compliance with NSPS emission limitations and performance specifications; a brief description of performance test conditions (capacity, feed quality, catalyst, etc.); an engineering assessment (if applicable); and if applicable, the flare design (e.g., steam-assisted, air-assisted, or non-assisted), all visible emission readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the Method 22 test.
3. Continuous compliance	Each monitoring option you elect; and identification of any unit or vent for which monitoring is not required; and the definition of "operating day." (This definition, subject to approval by the applicable permitting authority, must specify the times at which a 24-hr operating day begins and ends.)

[67 FR 17773, Apr. 11, 2002, as amended at 70 FR 6942, Feb. 9, 2005]

TABLE 43 TO SUBPART UUU OF PART 63—REQUIREMENTS FOR REPORTS

As stated in § 63.1575(a), you shall meet each requirement in the following table that applies to you.

You must submit a(n) . . .	The report must contain . . .	You shall submit the report . . .
1. Compliance report	If there are not deviations from any emission limitation or work practice standard that applies to you, a statement that there were no deviations from the standards during the reporting period and that no continuous opacity monitoring system or continuous emission monitoring system was in-operative, inactive, out-of-control, repaired, or adjusted; and if you have a deviation from any emission limitation or work practice standard during the reporting period, the report must contain the information in § 63.1575(d) or (e)	Semiannually according to the requirements in § 63.1575(b).

[67 FR 17773, Apr. 11, 2002, as amended at 70 FR 6942, Feb. 9, 2005]

TABLE 44 TO SUBPART UUU OF PART 63—APPLICABILITY OF NESHAP GENERAL PROVISIONS TO SUBPART UUU

As stated in § 63.1577, you shall meet each requirement in the following table that applies to you.

Citation	Subject	Applies to subpart UUU	Explanation
§ 63.1	Applicability	Yes	Except that subpart UUU specifies calendar or operating day.
§ 63.2	Definitions	Yes.	
§ 63.3	Units and Abbreviations	Yes.	
§ 63.4	Prohibited Activities	Yes.	
§ 63.5(A)–(C)	Construction and Reconstruction.	Yes	In § 63.5(b)(4), replace the reference to § 63.9 with § 63.9(b)(4) and (5).
§ 63.5(d)(1)(i)	Application for Approval of Construction or Reconstruction—General Application Requirements.	Yes	Except, subpart UUU specifies the application is submitted as soon as practicable before start-up but not later than 90 days (rather than 60) after the promulgation date where construction or reconstruction had commenced and initial startup had not occurred before promulgation.

Environmental Protection Agency

Pt. 63, Subpt. UUU, Table 44

Citation	Subject	Applies to subpart UUU	Explanation
§ 63.5(d)(1)(ii)	Yes	Except that emission estimates specified in § 63.5(d)(1)(ii)(H) are not required. Subpart UUU specifies submission of notification of compliance status.
§ 63.5(d)(1)(iii) .....	.....	No
§ 63.5(d)(2)	No.	Except that § 63.5(d)(3)(ii) does not apply.
§ 63.5(d)(3) .....	.....	Yes
§ 63.5(d)(4) .....	.....	Yes.
§ 63.5(e)	Approval of Construction or Reconstruction.	Yes.	
§ 63.5(f)(1)	Approval of Construction or Reconstruction Based on State Review.	Except that 60 days is changed to 90 days and cross-reference to 53.9(B)(2) does not apply.
§ 63.5(f)(2) .....	.....	Yes
§ 63.6(a)	Compliance with Standards and Maintenance—Applicability.	Yes.	
§ 63.6(b)(1)–(4)	Compliance Dates for New and Reconstructed Sources.	Yes.	
§ 63.6(b)(5)	Yes	Except that subpart UUU specifies different compliance dates for sources.
§ 63.6(b)(6)	[Reserved]	Not applicable.	
§ 63.6(b)(7)	Compliance Dates for New and Reconstructed Area Sources That Become Major.	Yes.	Except that subpart UUU specifies different compliance dates for sources subject to Tier II gasoline sulfur control requirements.
§ 63.6(c)(1)–(2)	Compliance Dates for Existing Sources.	Yes	
§ 63.6(c)(3)–(4)	[Reserved]	Not applicable.	
§ 63.6(c)(5)	Compliance Dates for Existing Area Sources That Become Major.	Yes.	
§ 63.6(d)	[Reserved]	Not applicable.	Except that reports of actions not consistent with plan are not required within 2 and 7 days of action but rather must be included in next periodic report.
§ 63.6(e)(1)–(2)	Operation and Maintenance Requirements.	Yes.	
§ 63.6(e)(3)(i)–(iii)	Startup, Shutdown, and Malfunction Plan.	Yes.	
§ 63.6(e)(3)(iv) .....	.....	Yes
§ 63.6(e)(3)(v)–(viii)	Yes	The owner or operator is only required to keep the latest version of the plan.
§ 63.6(e)(3)(ix) .....	.....	Yes.
§ 63.6(f)(1)–(2)(iii)(C)	Compliance with Emission Standards.	Yes.	Subpart UUU specifies methods.
§ 63.6(f)(2)(iii)(D) .....	.....	No.
§ 63.6(f)(2)(iv)–(v) .....	.....	Yes.
§ 63.6(f)(3) .....	.....	Yes.
§ 63.6(g)	Alternative Standard	Yes.	Subpart UUU specifies methods.
§ 63.6(h)	Opacity/VE Standards ..	Yes.	
§ 63.6(h)(2)(i)	Determining Compliance with Opacity/VE Standards.	No	Applies to Method 22 tests.
§ 63.6(h)(2)(ii)	[Reserved]	Not applicable.	
§ 63.6(h)(2)(iii)	Yes.	Applies to Method 22 observations.
§ 63.6(h)(3)	[Reserved]	Not applicable.	
§ 63.6(h)(4)	Notification of Opacity/VE Observation Date.	Yes	Applies to Method 22 observations.
§ 63.6(h)(5)	Conducting Opacity/VE Observations.	No.	
§ 63.6(h)(6)	Records of Conditions During Opacity/VE Observations.	Yes	Applies to Method 22 observations.
§ 63.6(h)(7)(i)	Report COM Monitoring Data from Performance Test.	Yes.	
§ 63.6(h)(7)(ii)	Using COM Instead of Method 9.	No.	

Pt. 63, Subpt. UUU, Table 44

40 CFR Ch. I (7–1–09 Edition)

Citation	Subject	Applies to subpart UUU	Explanation
§ 63.6(h)(7)(iii)	Averaging Time for COM during Performance Test.	Yes.	
§ 63.6(h)(7)(iv)	COM Requirements	Yes.	
§ 63.6(h)(8)	Determining Compliance with Opacity/VE Standards.	Yes.	
§ 63.6(h)(9)	Adjusted Opacity Standard.	Yes.	
§ 63.6(i)(1)–(14)	Extension of Compliance.	Yes	Extension of compliance under § 63.6(i)(4) not applicable to a facility that installs catalytic cracking feed hydrotreating and receives an extended compliance date under § 63.1563(c).
§ 63.6(i)(15)	[Reserved]	Not applicable.	
§ 63.6(i)(16) .....	.....	Yes.	
§ 63.6(j)	Presidential Compliance Exemption.	Yes.	
§ 63.7(a)(1)	Performance Test Requirements Applicability.	Yes	Except that subpart UUU specifies the applicable test and demonstration procedures.
§ 63.7(a)(2)	Performance Test Dates.	No	Test results must be submitted in the Notification of Compliance Status report due 150 days after the compliance date.
§ 63.7(a)(3)	Section 114 Authority ...	Yes.	
§ 63.7(b)	Notifications	Yes	Except that subpart UUU specifies notification at least 30 days prior to the scheduled test date rather than 60 days.
§ 63.7(c)	Quality Assurance Program/Site-Specific Test Plan.	Yes.	
§ 63.7(d)	Performance Test Facilities.	Yes.	
§ 63.7(e)	Conduct of Tests	Yes.	
§ 63.7(f)	Alternative Test Method	Yes.	
§ 63.7(g)	Data Analysis, Record-keeping, Reporting.	Yes	Except performance test reports must be submitted with notification of compliance status due 150 days after the compliance date.
§ 63.7(h)	Waiver of Tests	Yes.	
§ 63.8(a)(1)	Monitoring Requirements-Applicability.	Yes.	
§ 63.8(a)(2)	Performance Specifications.	Yes.	
§ 63.8(a)(3)	[Reserved]	Not applicable.	
§ 63.8(a)(4)	Monitoring with Flares ..	Yes.	
§ 63.8(b)(1)	Conduct of Monitoring ..	Yes.	
§ 63.8(b)(2)–(3)	Multiple Effluents and Multiple Monitoring Systems.	Yes	Subpart UUU specifies the required monitoring locations.
§ 63.8(c)(1)	Monitoring System Operation and Maintenance.	Yes.	
§ 63.8(c)(1)(i)–(ii)	Startup, Shutdown, and Malfunctions.	Yes	Except that subpart UUU specifies that reports are not required if actions are consistent with the SSM plan, unless requested by the permitting authority. If actions are not consistent, actions must be described in next compliance report.
§ 63.8(c)(1)(iii)	Compliance with Operation and Maintenance Requirements.	Yes.	
§ 63.8(c)(2)–(3)	Monitoring System Installation.	Yes	Except that subpart UUU specifies that for continuous parameter monitoring systems, operational status verification includes completion of manufacturer written specifications or installation, operation, and calibration of the system or other written procedures that provide adequate assurance that the equipment will monitor accurately.
§ 63.8(c)(4)	Continuous Monitoring System Requirements.	No	Subpart UUU specifies operational requirements.

Environmental Protection Agency

Pt. 63, Subpt. UUU, Table 44

Citation	Subject	Applies to subpart UUU	Explanation
§ 63.8(c)(4)(i)–(ii)	Continuous Monitoring System Requirements.	Yes	Except that these requirements apply only to a continuous opacity monitoring system or a continuous emission monitoring system if you are subject to the NSPS or elect to comply with the NSPS opacity, CO, or SO ₂ limits.
§ 63.8(c)(5)	COM Minimum Procedures.	Yes.	
§ 63.8(c)(6)	CMS Requirements	No	
§ 63.8(c)(7)–(8)	CMS Requirements	Yes.	Except that these requirements apply only to a continuous opacity monitoring system or continuous emission monitoring system if you are subject to the NSPS or elect to comply with the NSPS opacity, CO, or SO ₂ limits.
§ 63.8(d)	Quality Control Program	Yes	
§ 63.8(e)	CMS Performance Evaluation.	Yes	Except that these requirements apply only to a continuous opacity monitoring system or continuous emission monitoring system if you are subject to the NSPS or elect to comply with the NSPS opacity, CO, or SO ₂ limits. Results are to be submitted as part of the Notification Compliance Status due 150 days after the compliance date.
§ 63.8(f)(1)–(5)	Alternative Monitoring Methods.	Yes	Except that subpart UUU specifies procedures for requesting alternative monitoring systems and alternative parameters.
§ 63.8(f)(6)	Alternative to Relative Accuracy Test.	Yes	Applicable to continuous emission monitoring systems if performance specification requires a relative accuracy test audit.
§ 63.8(g)(1)–(4)	Reduction of Monitoring Data.	Yes	Applies to continuous opacity monitoring system or continuous emission monitoring system.
§ 63.8(g)(5)	Data Reduction	No	Subpart UUU specifies requirements.
§ 63.9(a)	Notification Requirements—Applicability.	Yes	Duplicate Notification of Compliance Status report to the Regional Administrator may be required.
§ 63.9(b)(1)–(2), (4)–(5)	Initial Notifications	Yes	Except that notification of construction or reconstruction is to be submitted as soon as practicable before startup but no later than 30 days (rather than 60 days) after the effective date if construction or reconstruction had commenced but startup had not occurred before the effective date.
§ 63.9(b)(3)	[Reserved].		
§ 63.9(c)	Request for Extension of Compliance.	Yes.	
§ 63.9(d)	New Source Notification for Special Compliance Requirements.	Yes.	
§ 63.9(e)	Notification of Performance Test.	Yes	Except that notification is required at least 30 days before test.
§ 63.9(f)	Notification of VE/Opacity Test.	Yes.	
§ 63.9(g)	Additional Notification Requirements for Sources with Continuous Monitoring Systems.	Yes	Except that these requirements apply only to a continuous opacity monitoring system or continuous emission monitoring system if you are subject to the NSPS or elect to comply with the NSPS opacity, CO, or SO ₂ limits.
§ 63.9(h)	Notification of Compliance Status.	Yes	Except that subpart UUU specifies the notification is due no later than 150 days after compliance date.
§ 63.9(i)	Adjustment of Deadlines.	Yes.	
§ 63.9(j)	Change in Previous Information.	Yes.	
63.10(a)	Recordkeeping and Reporting Applicability.	Yes.	

Pt. 63, Subpt. UUU, App. A

40 CFR Ch. I (7–1–09 Edition)

Citation	Subject	Applies to subpart UUU	Explanation
§ 63.10(b)	Records	Yes	Except that § 63.10(b)(2)(xiii) applies if you use a continuous emission monitoring system to meet the NSPS or you select to meet the NSPS, CO, or SO ₂ reduced sulfur limit and the performance evaluation requires a relative accuracy test audit.
§ 63.10(c)(1)–(6), (9)–(15).	Additional Records for Continuous Monitoring Systems.	Yes	Except that these requirements apply if you use a continuous opacity monitoring system or a continuous emission monitoring system to meet the NSPS or elect to meet the NSPS opacity, CO, or SO ₂ limits.
§ 63.10(c)(7)–(8)	Records of Excess Emissions and Exceedances.	No	Subpart UUU specifies requirements.
§ 63.10(d)(1)	General Reporting Requirements.	Yes.	
§ 63.10(d)(2)	Performance Test Results.	No	Subpart UUU requires performance test results to be reported as part of the Notification of Compliance Status due 150 days after the compliance date.
§ 63.10(d)(3)	Opacity or VE Observations.	Yes.	
§ 63.10(d)(4)	Progress Reports	Yes.	
§ 63.10(d)(5)(i)	Startup, Shutdown, and Malfunction Reports.	Yes	Except that reports are not required if actions are consistent with the SSM plan, unless requested by permitting authority.
§ 63.10(d)(5)(ii) .....	.....	Yes	Except that actions taken during a startup, shutdown, or malfunction that are not consistent with the plan do not need to be reported within 2 and 7 days of commencing and completing the action, respectively, but must be included in the next periodic report.
§ 63.10(e)(1)–(2)	Additional CMS Reports	Yes	Except that these requirements apply only to a continuous opacity monitoring system or continuous emission monitoring system if you are subject to the NSPS or elect to comply with the NSPS opacity, CO, or SO ₂ limits. Reports of performance evaluations must be submitted in Notification of Compliance Status.
§ 63.10(e)(3)	Excess Emissions/CMS Performance Reports.	No	Subpart UUU specifies the applicable requirements.
§ 63.10(e)(4)	COMS Data Reports	Yes.	
§ 63.10(f)	Recordkeeping/Reporting Waiver.	Yes.	
§ 63.11	Control Device Requirements.	Yes	Applicable to flares.
§ 63.13	Addresses	Yes.	
§ 63.14	Incorporation by Reference.	Yes.	
§ 63.15	Available of Information	Yes.	

[70 FR 6966, Feb. 9, 2005, as amended at 71 FR 20462, Apr. 20, 2006]

APPENDIX A TO SUBPART UUU OF PART 63—DETERMINATION OF METAL CONCENTRATION ON CATALYST PARTICLES (INSTRUMENTAL ANALYZER PROCEDURE)

1.0 Scope and Application.

1.1 Analytes. The analytes for which this method is applicable include any elements

with an atomic number between 11 (sodium) and 92 (uranium), inclusive. Specific analytes for which this method was developed include:

Analyte	CAS No.	Minimum detectable limit
Nickel compounds	7440–02–0	<2 % of span.
Total chlorides	16887–00–6	<2 % of span.